



STATE OF NORTH CAROLINA  
**DEPARTMENT OF TRANSPORTATION**

P.O. BOX 25201, RALEIGH, NC 27611-5201

## CERTIFICATION OF RULEMAKING

<b>Certifying Agency:</b> Department of Transportation					
<b>Action:</b>	<input checked="" type="checkbox"/>	Adoption	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Repeal
<b>Statutory Authority:</b> 20-141.1, 20-141.					
<b>Public Hearing Not Required For This Action Under:</b> GS 150A-1, 20-1.					
<b>Rule Summary:</b> Municipal Speed Zones.					
<b>Circumstances Requiring Rule Adoption, Repeal:</b> Necessary for public safety and welfare.					
<b>Effective Date:</b> February 21, 2008					

February 21, 2008

DATE

  
OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE

## Municipal Speed Zones

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141, 20-141.1.

COUNTY DURHAM

DIVISION 5

### DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
DURHAM DURHAM	1057683	NC 55	45	45	From a point approximately 0.58 mile south of SR 1977 northward to a point approximately 0.09 mile north of SR 1182 (Carpenter Fletcher Road).
DURHAM DURHAM	1057685	NC 55	50	50	From a point approximately 0.09 mile north of SR 1182 (Carpenter Fletcher Road) northward to a point approximately 0.28 mile south of SR 1171 (Riddle Road).

### RESCIND THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
DURHAM DURHAM	1013971	NC 55	45	45	Alston Avenue (NC 55) from a point 250 feet north of Allen- down Drive (SR 2205), northward to a point 500 feet north of Carpenter Fletcher Road (SR 1182).
DURHAM DURHAM	1013973	NC 55	55	55	Alston Avenue (NC 55) from a point 500 feet north of Carpenter Fletcher Road (SR 1182), northward to a point 1500feet south of Riddle Road (SR 1171)

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
DURHAM	1014053	NC 55	45	45	Alston Avenue (NC 55) from a point 250
DURHAM					feet north of Allendown Drive (SR
					2205), northward to 100 feet south of
					Dakota Drive.

The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (20-141.1, 20-141).

All the actions to the Highway Traffic Ordinances herein adopted are effective February 21, 2008 and are identified as follows:

ORDINANCE TYPE	ADOPT	REPEAL
Municipal Speed Zones	2	3
Total	2	3

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

February 21, 2008

DATE

  
OFFICER SIGNATURE

James, K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE

CERTIFICATION OF MUNICIPAL ORDINANCE DECLARING SPEED LIMIT  
MODIFICATIONS AND REQUEST FOR CONCURRING ORDINANCE BY DEPARTMENT  
OF TRANSPORTATION:

I, D. Ann Gray, Clerk of the City of Durham, do hereby certify that the City Council (City) (Town) (Governing Body) of the City of Durham (City) (Town) duly enacted on the 6th day of October, 20 03 an ordinance based upon engineering and traffic investigation pursuant to authority granted by G.S. 20-141(f) declaring the following speed limit modifications as set forth below on the following described portion of a State Highway System Street:

<u>Declare the Following Speed Limit</u>			
<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Route</u>	<u>Description</u>
<u>45</u>	<u>1014088</u> <u>1057683 KLB</u>	<u>NC 55</u>	<u>From a point approximately 0.58 mile south of SR 1977 northward to a point approximately 0.09 mile north of SR 1182 (Carpenter Fletcher Road).</u>
<u>50</u>	<u>1014089</u> <u>1057685 KLB</u>	<u>NC 55</u>	<u>From a point approximately 0.09 mile north of SR 1182 (Carpenter Fletcher Road) northward to a point approximately 0.28 mile south of SR 1171 (Riddle Road).</u>

<u>Rescind the Following Speed Limit</u>			
<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Route</u>	<u>Description</u>
<u>45</u>	<u>1013971</u>	<u>NC 55</u>	<u>Alston Avenue (NC 55) from a point 250 feet north of Allendown Drive (SR 2205), northward to a point 500 feet north of Carpenter Fletcher Road (SR 1182).</u>
<u>55</u>	<u>1013973</u>	<u>NC 55</u>	<u>Alston Avenue (NC 55) from a point 500 feet north of Carpenter Fletcher Road (SR 1182), northward to a point 1500 feet south of Riddle Road (SR 1171).</u>
<u>45</u>	<u>1014053</u>	<u>NC 55</u>	<u>Alston Avenue (NC 55) from a point 250 feet north of Allendown Drive (SR 2205), northward to 100 feet south of Dakota Drive)</u>

said ordinance to become effective upon adoption of the Department of Transportation of a concurring ordinance and the erection of signs giving notice of the authorized speed limit; that said ordinance is on file in the Office of the City Clerk at City Hall.

In witness whereof, I have hereunto set my hand and the seal of the City \_\_\_\_\_ of \_\_\_\_\_ Durham \_\_\_\_\_, this \_\_\_\_\_ 4th day of \_\_\_\_\_ November \_\_\_\_\_, 20 04.

*J. Ann Gray*



DURHAM



1869  
CITY OF MEDICINE

**CITY OF DURHAM**

OFFICE OF THE CITY CLERK  
101 CITY HALL PLAZA • DURHAM, NC 27701  
919.560.4166 • fax 919.560.4835  
www.ci.durham.nc.us

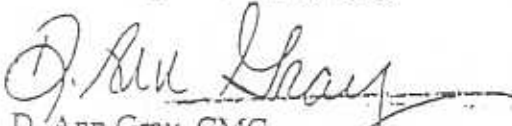


**SUBJECT: AN ORDINANCE AMENDING CHAPTER 20 OF THE DURHAM CITY CODE TO ALLOW THE CITY MANAGER TO MAKE ROUTINE DETERMINATIONS REGARDING TRAFFIC CONTROL DEVICES IN THE CITY OF DURHAM**

**NORTH CAROLINA  
DURHAM COUNTY**

I, D. Ann Gray, duly appointed City Clerk of the City of Durham, North Carolina, do hereby certify that the attached is a true and accurate copy of Ordinance #12871 approved by the Durham City Council on October 6, 2003, which is on file in the Office of the City Clerk at City Hall.

WITNESS my hand and the corporate seal of the City of Durham, North Carolina, this the 15<sup>th</sup> day of October, 2003.

  
D. Ann Gray, CMC  
City Clerk



ORDINANCE AMENDING CHAPTER 20 OF THE DURHAM CITY CODE TO  
ALLOW THE CITY MANAGER TO MAKE ROUTINE DETERMINATIONS  
REGARDING TRAFFIC CONTROL DEVICES IN THE CITY OF DURHAM

WHEREAS The U.S. Secretary of Transportation, under authority granted by the Highway Safety Act of 1966, decreed that traffic control devices on all streets and highways open to the public travel in accordance with 23 U.S.C. 109(d) and 402(a) in each State shall be in substantial conformance with the Standards issued or endorsed by the FHWA; and

WHEREAS The Manual on Uniform Traffic Control Devices (MUTCD) is approved by the Federal Highway Administrator as the National Standard in accordance with Title 23 U.S. Code, Sections 109(d), 114(a), 217, 315, and 402(a), 23 CFR 655, and 49 CFR 1.48(b)(8), 1.48(b)(33), and 1.48(c)(2); and

WHEREAS the MUTCD is recognized by the City of Durham as the standard for traffic control devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway by authority of a public agency having jurisdiction; and

WHEREAS the General Assembly of North Carolina enacted Session Law 2003-85, House Bill 651, An Act Amending the Charter of the City of Durham to Allow the City Manager or his/her Designee to Make Routine Decisions Regarding Routine Traffic Control Measures; and

WHEREAS the City Council desires to grant this authority to the City Manager's designee to improve the timeliness of the installation of routine traffic control devices with greater efficiency while adhering to proscribed State and Federal standards;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM THAT:

Sec. 1. Chapter 20 of the Durham City Code is hereby amended by adding the following new provision:

"Sec. 20-48. Authority to Make Certain Traffic Control Decisions Delegated to Public Works Director.

In addition to the authority delegated to the City Manager by the foregoing provisions, the Public Works Director, as the City Manager's designee, and the professional engineers working for such Public Works Director, shall be authorized to make routine determinations regarding speed limits, parking, loading, standing, and traffic control measures, including the locations of stop signs, yield signs, turn restrictions, loading zones, bus stops, and parking restrictions within the rights-of-way using professional standards for such determinations, such as the Manual on Uniform Traffic Control Devices. The Public Works Department shall maintain a properly indexed inventory of all signs installed or removed under this authority."

Sec. 2. All ordinances or resolutions to the contrary are hereby repealed to the extent of the inconsistency.

Sec. 3. This ordinance is effective upon passage.

APPROVED BY  
CITY COUNCIL

OCT 6 2003

*D. H. H. H.*